S.B. CIVIL MISC. APPEAL NO. 719/2001

Date : 02.03.2006

HON'BLE MR. BHAGWATI PRASAD.J.

Mr. Rajesh Panwar for the appellant
Mr. R.K. Mehta for the respondent no.3

Heard.

The question raised in this appeal is the insufficiency of the award. Admittedly, the injured at the time when injury was sustained by him was a person of 35 years of age. A person of 35 years of age is in his prime life time and with loosing one leg at that stage, he looses various pleasures of life. Apart from physical incapacity, it causes mental trauma.

The tribunal has granted a sum of Rs. 1,00,000/- for the injuries sustained by the injured which is considered be on the lesser side. It should have been atleast Rs. 2,00,000/-. That being the position, the award is modified to that extent. Instead of Rs.1,00,000/- , Rs. 2,00,000/- is awarded for the injuries sustained.

With the aforesaid modification, the appeal is allowed. The Tribunal will issue a fresh award. Rest of the award is maintained.

(BHAGWATI PRASAD), J.

bjsh